From: MEDBERRY, DAVID (A-Loveland, ex1)

To: 'microsoft.atr(a)usdoj.gov'

Date: 1/23/02 11:25am **Subject:** Microsoft Settlement

The Microsoft settlement is ineffective. The punitive portions are virtually non-existent--Microsoft is being rewarded for it's bad behavior by getting in-roads at the primary and secondary school level. This is historically not their market. Giving it to them is a reward, not a punishment.

The other aspect of the settlement, on-site observers, is not an effective deterrent. No one, no three, no twenty people would be sufficient to monitor software development and business tactics in a corporation the size of Microsoft. I'm not sure "observation" is a good plan. Why not rely on external businesses, conscientious Microsoft employees, and the press to identify any violations of the terms of the agreement. A "whistle blower" type of approach (both internally and externally) would be a better solution.

Another option, apparently thrown out by the Justice Department and the current administration, would be to break up Microsoft. This would certainly serve as an example, punitive, and also a preventative for at least a portion of the newly created companies.

David Medberry Software Engineer 4331 Sweetgrass Dr Loveland, CO 80537